

[Cite as *State ex rel. Dudley*, 2013-Ohio-2920.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 99828

**STATE OF OHIO, EX REL.
EDDIE DUDLEY**

RELATOR

vs.

JUDGE BRENDAN J. SHEEHAN

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion No. 464840
Order No. 465708

RELEASE DATE: June 28, 2013

FOR RELATOR

Eddie Dudley
Inmate No. 582-483
Lorain Correctional Institution
2075 South Avon-Belden Road
Grafton, Ohio 44044

ATTORNEYS FOR RESPONDENT

Timothy J. McGinty
Cuyahoga County Prosecutor
By: James E. Moss
Assistant County Prosecutor
The Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

FRANK D. CELEBREZZE, JR., J.:

{¶1} On April 25, 2013, the relator, Eddie Dudley, commenced this mandamus action against the respondent, Judge Brendan J. Sheehan, to compel him to rule on Dudley's motions for a monthly installment plan, filed on December 14, 2012, in the underlying cases, *State v. Dudley*, Cuyahoga C.P. Nos. CR-500587, CR-500881, CR-530921, and CR-532408. On May 9, 2013, the respondent moved for summary judgment on the grounds of mootness. Attached to the dispositive motion were certified copies of April 29, 2013 journal entries denying Dudley's subject motions in each of the underlying cases. Dudley did not oppose the summary judgment motion. The journal entries establish that Dudley has received his requested relief, rulings on his motions. This action is therefore moot.

{¶2} Accordingly, the court grants the respondent's motion for summary judgment and denies the application for a writ of mandamus. Respondent to pay costs; costs waived. The clerk is directed to serve upon the parties notice of this judgment and its date of entry upon the journal. Civ.R. 58(B).

{¶3} Writ denied.

FRANK D. CELEBREZZE, JR., JUDGE

MELODY J. STEWART, A.J., and
SEAN C. GALLAGHER, J., CONCUR